

UNITED STATES DISTRICT COURT DISTRICT OF NEW MEXICO

JUN 18 2003

JAMES SEABA and CORY PHILLIPS, Plaintiffs,	CLERK NO. 02-CV-103 LH/RIIS
v.	
MESOSYSTEMS TECHNOLOGY, INC.,	
Defendant.	

SUPPLEMENTAL AFFIDAVIT OF CHARLES J. CALL IN SUPPORT OF DEFENDANT'S REPLY TO PLAINTIFFS' RESPONSE TO MOTION TO DISMISS PLAINTIFFS' COMPLAINT FOR ATTORNEY'S FEES AND COSTS AS SANCTIONS, FOR PLAINTIFFS' ABUSE OF THE DISCOVERY PROCESS

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

Charles J. Call, upon his oath states the following to be true and correct:

- 1. I am the President and CEO of MesoSystems Technology, Inc. ("MesoSystems"), located in Kennewick, Washington and Albuquerque, New Mexico. In my capacity as President and CEO, I am attesting to the facts stated herein.
 - 2. I have personal knowledge of the matters stated herein.
- 3. In early September of 2001, MesoSystems received two laptop computers it had ordered for James Seaba and Cory Phillips. Upon receiving the computers, MesoSystems assigned them to Seaba and Phillips.

FURTHER AFFIANT SAYETH NAUGHT.

Charles J. Call



STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.)
This instrument was acknown June, 2003.	owledged before me by Charles J. Call this 17 day of
	NOTARY PUBLIC
My Commission Expires:	NOTARTTOBLE
12/28/04	
	OFFICIAL SEAL

Phyllis L. Blair
NOTARY PUBLIC
STATE OF NEW MEXICS